

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA**

RECEIVED
EXECUTIVE DIRECTOR
BOARD OF EDUCATIONAL EXAMINERS
APR 09 2018

| | | |
|---------------------|---|-----------------------------|
| In the matter of: |) | BOEE Case No. 17-147 |
| |) | |
| LANDON WOOD, |) | SETTLEMENT AGREEMENT |
| (Folder # 1002852) |) | AND FINAL ORDER |
| |) | |
| Respondent. |) | |

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) and 282 Iowa Administrative Code (IAC) rule 11.4(6), and with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon his license, the Respondent expressly waives the right to a disciplinary hearing and notifies the Board of his desire to resolve the pending complaint through means of informal disposition.

The Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, the disciplinary hearing will be rescheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against him at the time of hearing without further agreement of the Respondent.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

STIPULATIONS

1. Respondent holds a standard license. Respondent's license is currently active and will next expire on May 31, 2021.

2. Respondent was hired by the Waterloo Community School District on January 4, 2016, as a paraeducator and on March 27, 2017, as an ELL teacher. He remained in his teaching position until September 2017. He submitted a letter of resignation on September 14, 2017, which stated he was resigning effective September 28, 2017. Respondent did not obtain a release from the Waterloo Community School District prior to Respondent's resignation as required by 282 IAC 25.3(5)(b)(1).

3. On or about September 29, 2017, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics.

4. On February 6, 2018, the Board found probable cause to proceed to hearing based upon the facts set forth in paragraph 7 below.

5. The Board found probable cause to charge Respondent with the following violations of the Board's Code of Conduct:

Count I

6. Respondent is charged with abandoning a written professional employment contract without prior unconditional release by the employer, in violation of Board rule 282 IAC 25.3(5)(a)(3).

7. The Board issued a Notice of Hearing and Statement of Charges on February 6, 2018. Hearing in this matter is currently scheduled for April 23, 2018.

8. Respondent filed an Answer on February 15, 2018, admitting to resigning his position.

9. Investigation revealed that Respondent resigned his position without being released.

SETTLEMENT AGREEMENT

10. This Settlement Agreement and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.

11. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

- a. Respondent accepts a WRITTEN REPRIMAND.
- b. Respondent agrees to complete an Ethics course through an AEA within 12 months of the approval of this Agreement and submit proof of completion to the BOEE.

LICENSEE DECLARATION

I understand that this settlement agreement is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

I understand State's counsel will present this Agreement to the Board *ex parte*.

I agree to comply with the requirements set forth in the stipulations and settlement agreement, and understand that my failure to do so can result in additional discipline of my practitioner licenses.

I understand that this Settlement Agreement and Final Order is a public record,

which will become part of my permanent licensure file and will be available for public inspection and reproduction.

I understand that my name will be added to the national clearinghouse database kept by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

04/02/2018
Date

Landon Wood
Landon Wood, Respondent

4/04/2018
Date

Beth E. Hansen
Waterloo Community School District,
Complainant
By: Beth E. Hansen, Attorney

ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and Ethics governing the teaching profession. Respondent is REPRIMANDED for the charged conduct.

2. Respondent agrees to complete an Ethics course through an AEA within 12 months of the approval of this Agreement and submit proof of completion to the BOEE.

3. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 11th day of May, 2018.



Dr. Ann Lebo, Executive Director
Iowa Board of Educational Examiners

Copies to:
Beth E. Hansen
Swisher & Cohrt, P.L.C.
P O Box 1200
Waterloo, IA 50704
Attorney for Waterloo Community School District

Landon Wood
618 W 12th Street
Cedar Falls, IA 50613

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA**

| | | |
|------------------|---|---------------------------------|
| In the matter of |) | Case No. 17-147 |
| |) | Folder No. 1002852 |
| LANDON WOOD, |) | |
| |) | NOTICE OF HEARING |
| Respondent. |) | AND STATEMENT OF CHARGES |

YOU ARE HEREBY NOTIFIED that the Iowa Board of Educational Examiners, exercising the jurisdiction conferred by Iowa Code chapters 17A and 272, has found probable cause of a violation of Board rules and ordered this matter scheduled for hearing.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing will be held on Monday, April 23, 2018, before Administrative Law Judge Margaret LaMarche, acting on behalf of the Iowa Board of Educational Examiners. The hearing shall begin at 1:00 p.m. in Department of Inspections and Appeals, Wallace State Office Bldg, Third Floor, 502 E. 9th Street (East 9th and Grand Avenue), Des Moines, Iowa. You should report to the third floor Iowa Department of Inspections and Appeals' (DIA) receptionist prior to 1:00 p.m. to obtain the room assignment.

2. Answer. Within twenty (20) days of the date of service of this Notice of Hearing, you are required to file an Answer specifically admitting, denying, or otherwise responding to the allegations included within the Factual Allegations. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing. A copy of the Answer shall be provided by the Respondent to the Waterloo Community School District.

3. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 282 Iowa Administrative Code (IAC) chapter 11. At hearing, you may appear personally or be represented by an attorney, at your own expense. You will be allowed the opportunity to respond to the charges against you. Each party will be allowed to testify, examine and cross-examine witnesses, and present documentary evidence. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence. If you need to request an alternative time or date for hearing, you must comply with the requirements of 282 IAC 11.19.

If either party wishes to present telephonic testimony or to participate in the hearing by telephone, arrangements must be made at least ten (10) days in advance of the hearing date by filing a written request with the presiding Administrative Law Judge, Department of Inspections and Appeals, Wallace State Office Building, Des Moines, Iowa 50319, or by faxing a written request to (515) 281-4477. A copy of the

request for telephonic testimony must be served on the Board and all parties. Any resistance to the request for telephone testimony must be filed within five (5) days of service of the notice.

4. Pre-hearing conference. Either party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board rules regarding pre-hearing conferences are found in 282 IAC 11.18.

5. Prosecution. The Complainant is responsible for prosecuting and representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to the Complainant at the following address:

Waterloo Community School District
1516 Washington Street
Waterloo, Iowa 50702

6. Communications. You may not contact Board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing or the pending charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve on all parties in the case. You should direct any questions about this proceeding to Ann Lebo, the Board's Executive Director, at (515) 281-5849.

B. SECTIONS OF STATUTES AND RULES INVOLVED

Count I

7. Respondent is charged with abandoning a written professional employment contract without prior unconditional release by the employer, in violation of Board rule 282 IAC 25.3(5)(a)(3).

C. JURISDICTION AND LEGAL AUTHORITY

8. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A and 272. If any of the allegations against you are proven at hearing, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A and 272, and 282 IAC chapter 11.

D. FACTUAL CIRCUMSTANCES

9. Respondent holds a STANDARD LICENSE (FOLDER # 1002852) with the following endorsements: K-12 English as a Second Language, 5-12 Spanish, K-8 Spanish. Respondent's license will expire on May 31, 2021.

10. Respondent was hired by the Waterloo Community School District on January 4, 2016, as a paraeducator and on March 27, 2017, as an ELL Teacher. He

remained in his teaching position until September 2017. He submitted a letter on September 14, 2017, which stated he was resigning effective September 28, 2017.

11. On October 6, 2017, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics. On January 11, 2018, the Board found probable cause to proceed to hearing based upon the facts set forth herein and delineated in further detail within the complaint and investigation file compiled by the Board.

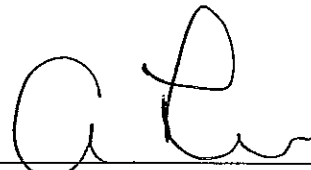
12. Investigation revealed that Respondent did abandon his contract as alleged in the complaint.

13. Respondent did not obtain a release from Waterloo Community School District prior to Respondent's resignation, as required by 282 IAC 25.3(5)(b)(1), and did not provide notice to the employing board in accordance with 282 IAC 25.3(5)(b)(2).

E. SETTLEMENT

14. This matter may be resolved by surrender of your license or an agreement to accept a lesser sanction. The procedural rules governing the Board's settlement process are found at 282 IAC 11.4(6). If you are interested in pursuing settlement of this matter, please contact the Complainant identified in Section A, above.

Dated this 6th day of February, 2018.



Ann Lebo, Executive Director
Iowa Board of Educational Examiners

Copies to:

Landon Wood (first-class mail and restricted certified mail)
RESPONDENT

Waterloo Community School District (electronic mail)
1516 Washington Street
Waterloo, Iowa 50702
COMPLAINANT